

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - FLINT

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 4:04-CR-20520

vs.

ERVIN J.MARKS,

Hon. Sean F. Cox  
United States District Judge

Defendant.

Michael Hluchaniuk  
United States Magistrate Judge

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**ORDER REVOKING BOND**

The defendant initially appeared before the Court on November 1, 2007, based upon an Indictment charging him with Possession with Intent to Distribute Cocaine Base, in violation of 21 U.S.C. § 841; Use of a Firearm During a Drug Trafficking Offense, in violation of 18 U.S.C. § 924(c); Felon in Possession of Firearm, in violation of 18 U.S.C. § 922(g). The defendant was temporarily detained. Following a detention hearing on November 2, 2007, the defendant was ordered released on an Unsecured bond, with conditions.

The defendant appeared before the Honorable Sean F. Cox on May 27, 2008, and pleaded guilty to possession with intent to distribute cocaine base. The

defendant's guilty plea was accepted by the Court and his bond was continued at that time pending his sentencing.

On June 2, 2008, the government filed a First Amended Petition for Revocation of Bond and Issuance of a Bench Warrant. (Dkt. #21). In support of the petition, the government states that the defendant violated the terms of his release on bond by possessing a quantity of marijuana and for having a weapon in his possession at the time of his arrest by the Flint Police Department on May 30, 2008.

On June 3, 2008, the defendant appeared before the undersigned for a bond review hearing. The defendant was advised of the charges against him as well as his rights in this matter. At the time of the hearing the defendant indicated that he would not contest the allegations in the Petition, and that he would consent to detention pending sentencing in this matter.

Accordingly, **IT IS HEREBY ORDERED** that the defendant's bond is hereby revoked. The defendant is hereby remanded to the custody of the United States Marshal pending further proceedings before the district court judge in this matter.

Dated: June 4, 2008

s/ Michael Hluchaniuk  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 4, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Nancy A. Abraham, AUSA, David Koelzer, Esq., and I hereby certify that I have mailed or hand delivered the paper to the following non-ECF participants: Pretrial Services Officer, 600 Church St., Flint, MI, United States Marshal, 600 Church St., Flint, MI.

s/ James P. Peltier  
James P. Peltier  
Courtroom Deputy Clerk  
810-341-7850